IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
MONDAY, THE TWENTIETH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE MR JUSTICE A.GOPAL REDDY
WRIT PETITION NO : 10987 of 2004

Between:
Galli Vijaya Lakshmi W/o. Galli Koteshwar,
R/o. Gorantla (V), Guntur (M) Guntur District.

..... Petitioner

AND

1 The Revenue Divisional Officer, Guntur, Guntur District.
2 Sri Vemma Ramanjaneyulu, S/o. Vemma Venkatapapaih,
Sri Sai Apartments, 7/2, Chandramoulinagar, Guntur, Guntur District.

.....Respondents

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue a writ, order or direction more particularly one in the nature of writ of Mandamus directing the Respondent No. 1 herein not to conduct any enquiry in pursuance of the Notice dt. 27-2-2004 in File No. Rc.54/2004/A under the A.P. Assigned Lands(Prohibition of Transfer) Act, 1977 issued by the Respondent No. 1 herein to Sri Ramanjaneyulu.

For the Petitioner: MR.N.V.RAVI KUMAR, Advocate

For the Respondent No.: GP FOR ASSIGNMENT

The Court made the following :

ORDER:

By the impugned notice dt. 27-2-2004 of the Revenue Divisional Officer, Guntur, the second respondent and others were informed that they were in unauthorized occupation of the Atchammakunta Tank/Kunta poramboke in S.No.119 and 281 situate at Gorantla and accordingly they were called upon to appear before the Revenue Divisional Officer on 4-3-2004. Questioning the same, the petitioners filed the present writ petition stating that petitioner's father was assigned land to an extent of Ac.1.40 cents in S.No.119 situate at Gorantla village through "D" form patta in the year 1986. On the death of the petitioner's father, the petitioner and her two sisters partitioned the property into three equal shares and since then she has been in possession of Ac.0.45 cents of land. The second respondent and others are resorted to cancel the assignment granted earlier, and she may likely to be dispossessed by some order likely to be passed on the impugned notice behind her back.

It is no where stated in the notice that the second respondent was in possession of the land, for issuance of the notice. In view of the same, the writ petition is mis-conceived and same cannot be entertained.

The writ petition is accordingly dismissed.

A.GOPAL REDDY,J

DT.20-9-2004

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To

1 The Revenue Divisional Officer, Guntur, Guntur District.
2. Two CCs to the Govt., Pleader for Assignment, High Court of A.P., Hyderabad (OUT)

3. Two CD copies.